

EXHIBIT E

Express Mail No. EV328184650JS
Date of Deposit: July 1, 2003

Attorney Docket No.: 23254-501

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Holgersson *et al.*
SERIAL NUMBER: 09/194,396 EXAMINER: Gerald R. Ewoldt, Ph.D.
FILING DATE: December 8, 1998 ART UNIT: 1644
FOR: ANTIGENIC FUSION PROTEIN CARRYING GAL α 1,3 GAL EPITOPES

Director of the U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

July 1, 2003
Boston, Massachusetts

**PETITION UNDER 37 C.F.R. § 1.181 FOR WITHDRAWAL OF HOLDING
OF ABANDONMENT**

1. Applicants request that the abandonment set forth in the Notice of Abandonment, mailed by the U.S. Patent and Trademark Office on June 25, 2003, be withdrawn.
2. Applicants submit that the Notice of Abandonment for failure to timely file a proper reply to the Office Letter mailed November 12, 2002 was sent in error. Applicants sent a response to the November 12, 2002 Office Action via facsimile on April 11, 2003. Because the time for response had not expired, Applicants filed a timely response.
3. Submitted herewith is:
 - 3.1 a copy of November 12, 2002 Office Action (5 pgs.) in the above identified application (Tab A);
 - 3.2 a copy of the Fax Cover Sheet (1 pg.), Amendment and Response to November 12, 2002 Final Office Action (8 pgs.) and courtesy copy of Hasemann and Capra, Fundamental Immunology, 2nd Edition (27 pgs.) filed via facsimile by Applicants' representatives on April 11, 2003 in the above identified application (Tab B);
 - 3.3 a copy of the Petition for Extension of Time (1 pg.) filed via facsimile by Applicants' representatives on April 11, 2003 in the above identified application (Tab C);


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- 3.4 a copy of the Notice of Appeal (1 pg.) filed via facsimile by Applicants' representatives on April 11, 2003 in the above identified application (Tab D);
 - 3.5 a copy of the June 25, 2003 Notice of Abandonment stating that Applicants failed to timely file a proper reply to the Office Letter mailed November 12, 2002 (2 pgs.) (Tab E);
 - 3.6 a copy of the Certificate of Transmission under 37 C.F.R. 1.8 (1 pg.) filed via facsimile by Applicants' representatives on April 11, 2003 in the above identified application (Tab F);
 - 3.7 a copy of the Fax Cover Sheet (1 pg.) sent via facsimile by Applicant's representatives on April 11, 2003, including a Transmission Report ("TX Report") indicating successful transmission of the items listed in Tab B (Tab G); and
 - 3.8 a copy of the Auto-Reply Facsimile Transmission from the United States Patent and Trademark Office, indicating receipt of 39 pages from Fax Sender at 617 542 2241 on April 11, 2003 at 2:41:16 pm (Tab H).
4. Accordingly, Applicants respectfully submit that the June 25, 2003 Notice of Abandonment was sent in error, and request that the abandonment be withdrawn.
 5. No fee for this request is believed to be due. Should any additional fee be due, the Commissioner is hereby authorized to charge same, or credit any overpayment, to Deposit Account No. 50-0311 (Reference 23254-501). A duplicate copy of this request is enclosed.

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6. Applicants request that acknowledgment be made of the active status of this application. The Examiner is invited to contact the undersigned with any questions at the telephone number listed below.

Respectfully submitted,



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